

REGULAR MEETING – MAY 30, 2000

BE IT REMEMBERED, that on this 30th day of May, A.D., 2000, there was begun and held a REGULAR MEETING of the Honorable Commissioners' Court of Hidalgo County, Texas, wherein the following members thereof were present, to-wit:

HONORABLE JOSE ELOY PULIDO	HIDALGO COUNTY JUDGE
HONORABLE HECTOR (TITO) PALACIOS	COMMISSIONER, PRECINCT NO.2
HONORABLE JUAN ROSEL	COMMISSIONER, PRECINCT NO.3
HONORABLE OSCAR GARZA	COMMISSIONER, PRECINCT NO.4

and **J.D. SALINAS, COUNTY CLERK & EX-OFICIO CLERK OF THE COMMISSIONERS' COURT** of Hidalgo County, Texas, wherein the following proceedings were had, to-wit:

COMMISSIONERS' COURT

The Honorable, Jose Eloy Pulido, County Judge, called the Commissioners' Court meeting to order, whereupon the following proceedings were had, to-wit:

REGULAR AGENDA

ITEM 1. ROLL CALL

The County Judge announced that all members of the Commissioners' Court were present and accounted for with the exception of Commissioner Sylvia Handy.

NO ACTION.

ITEM 2. PLEDGE OF ALLEGIANCE

ITEM 3. PRAYER

The County Judge asked that Ruben Hinojosa, State Representative, for the invocation and to lead the Court and the audience in reciting the Pledge of Allegiance.

NO ACTION.

ITEM 4. OPEN FORUM

The County Judge announced that no one had signed up for the Open Forum.

NO ACTION.

ITEM 5. Approval of Resolution honoring J.D. Salinas, III, County Clerk

A motion was made by Commissioner Palacios and seconded by Commissioner Rosel to approve the resolution honoring J.D. Salinas, III, County Clerk.

MOTION CARRIED.

(See Exhibit A)

ITEM 6. County Clerk:

- A. Approval to create four part-time temporary positions – three deputy clerks & one website designer from Records Management Fund**

J.D. Salinas, County Clerk, came before Court to announce that this is three part-time positions and one part-time website designer. This will come out of Records Management and it's for Record Preservations and Restoration. A motion was made by Commissioner Palacios and seconded by Commissioner Garza to approve four part-timers subject to legal review.

MOTION CARRIED.
(See Exhibit B)

B. Approval to appropriate funds – Rec. Mgmt. Fund

A motion was made by Commissioner Rosel and seconded by Commissioner Palacios to approve the appropriate fund of \$36,703.13 for the rest of year.

MOTION CARRIED.
(See Exhibit B)

C. Set Salary

A motion was made by Commissioner Rosel and seconded by Commissioner Garza to approve the set salary.

MOTION CARRIED.
(See Exhibit B)

CONSENT AGENDA

1. **Approval of check register and payment of claims and bills - County Auditor**
2. **Line item transfers:**
 - A. **Master Court #1**
 - B. **Historical Commission**
 - C. **J.P. Pct. #1, Pl. 1**
 - D. **J.P. Pct. #1, Pl.1**
 - E. **County Court #1**
 - F. **County Court #3**
 - G. **Pct. #1 – Sanitation**
 - H. **Pct. #1 – Parks**
 - I. **Pct. #3 – Landfill (2)**
 - J. **Pct. #3 – Adm.**
 - K. **Pct. #3 – Parks**
 - L. **Pct. #4 – Paved/unpaved**
 - M. **Planning Department**
 - N. **Health Department – Adm.**
 - O. **Elections Department**

- P. District Attorney**
- Q. District Clerk**
- R. Human Services**
- S. Fire Marshal**
- T. 398th District Court**

3. Planning Department:

A. Approval of the following Certificates:

- **Certificates of Plat & Utility Status under Local Government Code Section 232.028(b)**
- **Certificates of Residence Construction under Local Government Code Section 232.029 (c)(1)**
- **Certificates of Water Service Availability under Local Government Code Section (c)(2)**

A motion was made by Commissioner Rosel and seconded by Commissioner Palacios to approve the Consent Agenda with the exception of Item 2/I, 2/S, 2/T. No action will be taken on Item 2/I, 2/S, 2/T.

MOTION CARRIED.
(See Exhibit C)

ITEM 7. District Attorney:

A. Request approval and authorization to extend the payment of salaries for five (5) employees assigned to the Combined Narcotics Task Force Grant until receipt of new grant award

Rene Guerra, District Attorney, came before Court to announce that this is to extend the contract that we have with McAllen with the Task Force. A motion was made by Commissioner Palacios and seconded by Commissioner Rosel to approve to extend the contract.

MOTION CARRIED.
(See Exhibit D)

ITEM 8. Presentation in regards to Children's Advocacy Center – Soila Garcia

Soila Garcia came before Court to announce that this is a brief summary in regards with the Child Abuse. We are in the process in getting an Advocacy Center, which is when you have different discipline come together and different agencies dealing with child abuse. Hidalgo County is the biggest County in Texas that does not have an Advocacy Center. This could help a lot of children in Hidalgo County. Dr. Gegorio Pina mentioned that he works with kids that have been abused over 4,000 and sex offenders for the County for the last 18 years. What I'm trying to say is that we do need a Children's Advocacy Center for this kids to help them.

**ITEM 13. PURCHASING DEPARTMENT
A. HIDALGO COUNTY-**

1. Discussion and/or action, including, but not limited to the following items.

- A.) Present Hidalgo County Jail**
- 1. Total inmate population**
 - Physical Count**
 - La Villa Facility Count**
 - Out of County Count**

Martha Salazar, the County Purchasing Director, came before Court and mentioned that this is the weekly update on the jail. She mentioned that presently there were total inmate of 800 and 578 in-house and 209 in La Villa and out of County is 13. As Chief Cantu in the situation on the additional beds at La Villa in order to eliminate the travel out of County. We are due to have 38 beds available for us in La Villa by tomorrow, Chief Cantu was given that information through an Assistant Warden on Friday.

(See Exhibit F)

9. Consider and approve an order making certain funding and approving procurement of contractual obligation for detention facility under the “safety” exemption to the County Purchasing Act and the Certificate of Obligation Act

After a brief discussion from Mr. Ramirez, Mr. Castellano, Dr. Ethridge and Commissioners' Court the main point of discussion was to start with the Minute Order for the Detention Facility. The members of the Court and Mr. Ramirez, Mr. Castellano, Dr. Ethridge agreed with the Minute Order to be approved by the Commissioners' Court with two corrections that Mr. Ramirez mentioned for the record on the Minute Order. The two corrections were as stated on THAT WHEREAS UNDER SECTION 262.023(A) AND SECTION 271.051 CONTRACTS FOR THE CONSTRUCTION OF COUNTY BUILDINGS, FOR ALL COUNTY BUILDINGS AND THEN WE WILL JUST GO AHEAD INCLUDE, EXCLUDE INCLUDING JAILS AND DETENTION FACILITIES FINANCED WITH CERTIFICATES OF OBLIGATION AND THEN CONTINUE WITH MUST BE SUBMITTED TO COMPETITIVE BIDDING; AND THAT'S ONE CORRECTION AND HUH... ... THAT I PURPOSED TO MAKE AND THEN HUH... ...THE SECOND CORRECTION WOULD BE ON THE FOLLOWING WHEREAS WHERE WE HAVE HUH... ... COUNTY OF HIDALGO HAS THE AUTHORITY UNDER SECTION 262.024(A)(2) OF THE TEXAS LOCAL GOVERNMENT CODE, TO GRANT AN EXEMPTION FROM THE COMPETITIVE BIDDING REQUIREMENTS OF SECTION 262.023 TO PROCURE A CONTRACT AND REMOVE FOR THE CONSTRUCTION OF COUNTY BUILDINGS, INCLUDING JAILS AND DETENTION FACILITIES; AND SAY A CONTRACT

WHICH CONSTITUTES A SAFETY ITEM UNDER THE PROCUREMENT ACT. I THINK... ... I THINK THAT'S THE PROBABLY THE CORRECT HUH... ... STATEMENT OF THE LAW OTHER WISE EVERYTHING ELSE HUH... ... IS READY FOR YOUR APPROVAL AND YOU CAN GO AHEAD AND ADOPT THE ORDER AND WE CAN PROCEED. A motion was made by

Commissioner Palacios and seconded by Commissioner Garza to approve the Minute Order with the corrections of the Minute Order and subject to finalizing the bases of the Courts view.

MOTION CARRIED.
(See Exhibit G)

B. HIDALGO COUNTY PRECINCT #3-

- 2. Presentation for discussion, selection and action (approval) by Charles C. Thomas, Principal, Thomas Design Group (Project Architect) on the following methods of construction for the Mission Health Clinic Project.**
 - A. Construction Management**
 - B. Conventional Method**

Paul Anzaldua, came before Court to announce that the Thomas Design Group completed the construction document for the Mission Health Clinic. I'm here to represent to Commissioners' Court the options of the method of this construction for this clinic. The Conventional Method which is excepting the low bid project and the Construction Management which the County will bid out the project, and except bids, but also in addition to the bid is also get qualifications and experience from a firm doing similar projects then actually that firm managing the construction of that project on be half of the County. Those are the two options. A motion was made by Commissioner Rosel and seconded by Commissioner Garza to approve the to selection and action (approval) by Thomas Design Group on the following methods of the construction for the Mission Health Clinic.

MOTION CARRIED.
(See Exhibit H)

- 3. Authority to advertise the following:**
 - A. An RFQ (Request for Qualifications) for Construction Management Firms for the Mission Health Clinic Project (OR)**
 - B. An RFB (Request for Sealed Bids) for Construction of the Mission Health Clinic under conventional method of construction**

A motion was made by Commissioner Rosel and seconded by Commissioner Rosel and seconded by Commissioner Palacios to approve to advertise.

MOTION CARRIED.
(See Exhibit H)

ITEM 9. County Judge:

A. Report on County Elections Administrator

J. D. Salinas, County Clerk, came before Court to announce that we accepted the resignation of the Election Administrator, Noe Perez; it is effective August 1st 2000. We are trying to post a meeting at 9:30 a.m. on Thursday to try to see if we can work on a transition to the new administrative.

B. Approval of budget amendments:

- 1. Juvenile Detention**
- 2. Juvenile Probation**

A motion was made by Commissioner Garza and seconded by Commissioner Rosel to approve the budget amendment of \$36,715.19 under both programs.

MOTION CARRIED.
(See Exhibit I)

ITEM 10. Planning Department:

- A. Approval on the appointment of one (1) member to the Hidalgo County Advisory Board**

NO ACTION TAKEN.

NO ACTION.
(See Exhibit J)

ITEM 11. Urban County:

- A. Approval of Change Order #1 for Mission Paving Company, Inc. – City of Donna Street Improvements – UC Years 9, 10, 11 and 12 (1996-1999)**

Anthony Covacevich, Urban County Director, came before Court to announce that City of Donna is asking for a change order that will add 32 days to the contract. It's an order to let school in Donna and then the contract will proceed to pave the streets after school. A motion was made by Commissioner Garza and seconded by Commissioner Rosel to approve the change order.

MOTION CARRIED.
(See Exhibit K)

- B. Approval of a Construction Contract with Cris Equipment Company, Inc. – City of Alamo – Water/Sewer Improvements – UC Year 11 (1998)**

This is for water and sewer improvements contract amount is \$182,962.12 dollars. A motion was made by Commissioner Garza and seconded by Commissioner Rosel to approve the construction contract.

C. Authorize issuance of Section 108 Note regarding the City of Alton & City of Alamo and matters related thereto

The City of Alton is 3 million dollars for a Community Facility Center and the City of Alamo will be 1million and \$100,00.00 for street paving and curben gutter. This is part of the 108

Section final items that were necessary to proceed with that project. The County will pay out of the CDBG allocation and that's the only obligation that the County has. A motion was made by Commissioner Rosel and seconded by Commissioner Garza to approve issuance of Section 108 Note.

MOTION CARRIED.
(See Exhibit K)

ITEM 12. Pct. #4:

A. Approval of budget amendment – Landfill

Oscar Garza, Commissioner Pct.#4, came before Court to announce that this is a budget amendment of \$150,000.00 coming out of general fund. A motion was made by Commissioner Rosel and seconded by Commissioner Garza to approve the budget amendment.

MOTION CARRIED.
(See Exhibit L)

ITEM 13. Purchasing Department:

A. HIDALGO COUNTY -

- 2. Pursuant to Article §81.005(a) (Terms of Court Meetings) of the Texas Local Government Code. Consideration for approval of an Order, and entering of said Order into the minutes of the Court, the designation of time of day, day of the week and week of the month of Hidalgo County Commissioner's Court Regular Term Meeting.**

ORDER OF THE COURT:

HIDALGO COUNTY COMMISSIONER'S COURT

Week of the Month: 2nd

Day of the Week: Monday

Time of the Day: 9:30 a.m. a.m./p.m.

Martha Salazar, the County Purchasing Director, came before Court to announce that this is something that bond counsel requested and should be a regular activity that the court under takes fiscal every year to determine the week of month, day of the week, time of the day. It has been said the seconded Monday of the month to be the regular term meeting of the Court. Steve Crain, Legal Council, recommend at this point of time do not change the regular term meetings wait until December if so desire and this action will be to ratify the previous action and

designating the seconded Monday of each month as your regular term meeting. A motion was made by Commissioner Palacios and seconded by Commissioner Garza to approve.

MOTION CARRIED.
(See Exhibit M)

- 3. Request approval of a budget line-item transfer (within the Capital Projects - Certificates of Obligation-1998) from account 0-688-441-300-42 & 0-688-441-300-46 to account 0-688-441-300-89 for final reimbursement to the**

City of McAllen of \$143,280.41. Total of all reimbursements are \$ 1,200,000.00.

This is part of you Interlocal Agreement of total \$1.2 million was obligated for CEO'S COPC construction of the clinic in which in return the County gets undivided half interest. A motion was made by Commissioner Rosel and seconded by Commissioner Garza to approve.

MOTION CARRIED.
(See Exhibit M)

- 4. Requesting approval of payment of application and certificates of payment no. eight (8) submitted by the City of McAllen on the construction of the COPC Clinic out of bond proceeds. Said payment is in accordance with the Inter-local Agreement between the City of McAllen and the County of Hidalgo under Article 4 (b). Total amount due: Application and Certificate for Payment No. (8) paid by the City of McAllen (03-06-00):
\$ 143,280.41 **Total: \$ 143,280.41****

A motion was made by Commissioner Rosel and seconded by Commissioner Garza to approve the payment of application.

MOTION CARRIED.
(See Exhibit M)

- 5. Requesting approval to exercise the one (1) year option (as provided in current contract) to extend the Biohazardous Medical Waste Disposal contract with BFI Waste Systems of North America for the WIC Program, Mobile Clinics, Health Department, Juvenile Probation and the Sheriff's Department.**

A motion was made by Commissioner Rosel and seconded by Commissioner Garza to approve to exercise the one (1) year option (as provided in current contract) to extend the Biohazardous Medical Waste Disposal contract with BFI Waste Systems of North America.

MOTION CARRIED.

- 6. Requesting approval to exercise the one (1) year option (as provided in current contract) to extend the Paper Products Services contract with BFI Waste Systems of North America.**

A motion was made by Commissioner Palacios and seconded by Commissioner Rosel to approve to exercise the one (1) year option (as provided in current contract) to extend the Paper Products Services contract with BFI Waste Systems of North America.

MOTION CARRIED.
(See Exhibit M)

- 7. Approval of a loan from General Fund to the New Jail and Law Enforcement Center Capital Project Fund No. 698 and appropriate same for Bond Counsel Legal Services for two statements submitted (\$4,778.53 and \$3,332.45) totaling \$ 8,110.98**

A motion was made by Commissioner Rosel and seconded by Commissioner Palacios to approve the loan from General Fund to the New Jail and Law Enforcement Center.

MOTION CARRIED.

(See Exhibit M)

- 8. Authorization for Auditor to pay outstanding statement(s) due to Bond Counsel, Hon. Jesus "Chuy" Ramirez, for legal services rendered**

A motion was made by Commissioner Palacios and seconded by Commissioner Garza to approve the auditor to pay outstanding statement(s).

MOTION CARRIED.
(See Exhibit M)

B. HIDALGO COUNTY PRECINCT #3-

- 1. Requesting authority to advertise & approval of specifications as attached hereto for "New Paving for the following streets:**

Phase I

**Chihuahua Road 25521 square yards
Goodwin Acres 7040 square yards
Botello Subdivision 2987 square yards**

Phase II

**Jennifer Lane (Country Estates West Sub)
2534 square yards
Chula Vista Subdivision 3867 square yards**

A motion was made by Commissioner Rosel and seconded by Commissioner Garza to approve to authorize to advertise and approval of specifications as attached hereto for New Paving for the following streets.

MOTION CARRIED.
(See Exhibit M)

- C. HIDALGO COUNTY PRECINCT #4 -**
- 1. Requesting approval to add “DILLON ROAD (BETWEEN CURVE & ANDERSON)” to the project noted and previously granted authority to advertise on Commissioner’s Court meeting**

05/23/00 for paving.

A motion was made by Commissioner Garza and seconded by Commissioner Palacios to approve the Dillon Road (Between Curve & Anderson) to the project noted and previously granted authority to advertise on Commissioner’s Court meeting on 5/23/00 for paving.

MOTION CARRIED.
(See Exhibit M)

- D. HIDALGO COUNTY FIRE MARSHALL DEPARTMENT -**
- 1. Requesting authority to purchase a year 2000, 4x4 Ford F-150 – V-8, 4.6L - Extended Cab Pick-up Truck through the Interlocal Agreement with the Houston-Galveston Area Council (H-GAC) from Philpott Motors, Inc. Port**

Neches, Texas. The total price of the vehicle is \$ 26,789.78 which includes the H-GAC administration fee and delivery charge.

A motion was made by Commissioner Rosel and seconded by Commissioner Garza to approve the purchase of a year 2000, 4x4 Ford F-150-V-8, 4.6L- Extended Cab Pick-up Truck and the money is coming from Fire’s Office subject to an appropriation either through a line item transfer or through the general fund and Mr. Garcia indicated he will be making the line item transfer request. Judge Pulido, Commissioner Rosel, Commissioner Garza were for it and Commissioner Palacios voted against. The vote is 3-1, and it passes.

MOTION CARRIED.
(See Exhibit M)

- E. HIDALGO COUNTY LIBRARY SYSTEM -**
- 1. Requesting a “Sole Source Declaration” of AMIGOS Library Services for: the providing of “on-line” Cataloging Services, Reference Databases, On-Line Shared Cataloging, Inter-library Loan Support, and Information Technologies to the Hidalgo County Library System.**

A motion was by Commissioner Garza and seconded by Commissioner Rosel to approve the "Sole Source Declaration" of AMIGOS Library Services.

MOTION CARRIED.
(See Exhibit M)

F. HIDALGO COUNTY SHERIFF'S DEPARTMENT-

- 1. Discussion and possible action on authority for the immediate termination of existing Contract No. C-99-024-03-08 with Martin's Uniform in San Antonio pursuant to Article 19 (Performance and Meeting Schedules) for Options 1 & 2 of the "Sheriff's Department Uniform Bid".**

A motion was made by Commissioner Palacios and seconded by Commissioner Palacios and seconded by Commissioner Garza to approve the authorization for the immediate termination of existing Contract No. C-99-024-03-08.

MOTION CARRIED.
(See Exhibit M)

G. HIDALGO COUNTY TAX ASSESSOR/COLLECTOR-

- 1. Requesting authority to advertise and approval of specifications as attached hereto for: "PRINTING OF THE YEAR 2000 TAX STATEMENTS, TAX ROLLS AND THE FOLDING, INSERTING, PRE-SORTING AND DELIVERING OF TAX STATEMENTS TO THE EDINBURG POST OFFICE".**

A motion was made by Commissioner Garza and seconded by Commissioner Palacios to approve to authorize and advertise and approval of specifications as attached hereto for.

MOTION CARRIED.
(See Exhibit M)

Therefore being no further business to come before the Commissioners' Court, a motion was made by Commissioner Palacios and seconded by Commissioner Rosel that said meeting be hereby adjourned.

MOTION CARRIED.

DRAINAGE DISTRICT #1

The Honorable Jose Eloy Pulido, County Judge, called the Drainage District #1 Board meeting to order, whereupon the following proceedings were had, to-wit:

CONSENT AGENDA

1. Approval of check register and payment of claims and bills - County Auditor

A motion was made by Commissioner Rosel and seconded by Commissioner Palacios to approve the Consent Agenda.

MOTION CARRIED.

(See Exhibit N)

DRAINAGE DISTRICT

1. Purchasing Department:

A. Recommending award of bid: "Lubricants (Grease, Oil, Hydraulic Fluids) and Anti-Freeze Products" to multiple vendors.

A motion was made by Commissioner Palacios and seconded by Commissioner Rosel to approve award of bid.

MOTION CARRIED.

B. Requesting approval of contracts for: “Lubricants (Grease, Oil, Hydraulic Fluids) and Anti- Freeze Products” to multiple vendors.

A motion was made by Commissioner Rosel and seconded by Commissioner Palacios to approve the contract.

MOTION CARRIED.
(See Exhibit N)

Therefore being no further business to come before the Drainage District #1 Board, a motion was made by Commissioner Palacios and seconded by Commissioner Rosel that said meeting be hereby adjourned.

MOTION CARRIED.

**There being no further business to come before said
Court, the meetings of the Commissioners' Court and the
Drainage District #1 Board are now hereby adjourned.**

JOSE ELOY PULIDO _____
COUNTY JUDGE

SYLVIA HANDY _____ **ABSENT** _____
COUNTY COMMISSIONER, PRECINCT 1

HECTOR (TITO) PALACIOS _____
COUNTY COMMISSIONER, PRECINCT 2

JUAN ROSEL _____
COUNTY COMMISSIONER, PRECINCT 3

OSCAR L. GARZA _____
COUNTY COMMISSIONER, PRECINCT 4

Dated this the 30th day of May, 2000

JUAN D. SALINAS, III, County Clerk
Hidalgo County, Texas

By: _____
Deputy Clerk

Minutes approved by the Commissioners' Court and the Drainage District #1 Board on the 12th day of June, 2000.